

CHAPTER 4

OTHER IMPACT CONSIDERATIONS

This chapter discusses related actions to the proposed action, cumulative impacts, Environmental Justice and Indian Trust Assets.

4.1 RELATED ACTIONS

CEQ Regulations for implementing NEPA require the consideration of the relationship of the project and its impacts to other projects and activities and their impacts in the area. Related actions are defined in 40 CFR 1508.25(a)(3). They are those actions, which have similarities to the proposed action that provide a basis for evaluation together, such as common timing or geography. This section discusses three related actions to the proposed action.

When more is known of the three related actions, if there are new impacts that have not been analyzed or if there is a potential for significant impacts, then Reclamation is committed to undertake additional NEPA compliance actions as appropriate.

4.1.1 Relocation of CR 211

CR 211 is a two-lane gravel road that is routed through Ridges Basin as part of the La Plata County secondary road network. Portions of the existing alignment would be inundated when Ridges Basin Reservoir is filled, and 3.1 miles of new road would be built to replace it. This relocation of CR 211 is a related action to the ALP Project and to the proposed action addressed in this EA.

Construction of the relocated CR 211 is proposed for the period March 16, 2005 to July 5, 2006. The likely alignment of the right-of-way corridor has been defined, but there may be minor modifications as construction design details are developed. The relocated CR 211 would occupy a permanent 90-foot-wide right-of-way corridor, but there may be areas along the right-of-way where additional space is needed for construction. Additional workspace has not yet been identified. As this additional information is developed, the requirement for future NEPA analysis would be addressed.

4.1.1.1 Relationship of CR 211 to Other Project Features

The proposed alignment for CR 211 is north of the reservoir and generally parallels the northern alignment for the Northwest and MAPCO pipelines. The relocation of CR 211 is scheduled to take place after the Northwest and two MAPCO pipelines are constructed. The three pipelines would cross the existing CR 211 in two locations, one in the vicinity of the northeast corner of the reservoir and the other in the vicinity of the northwest corner of the reservoir.

The Greeley pipeline would be constructed in a 25-foot-wide permanent right-of-way next to the new road alignment for CR 211.

The existing CR 211 would be used for access by construction vehicles to the Ridges Basin Dam and the Inlet Conduit construction sites. The Inlet Conduit would be constructed on an alignment that partially parallels the existing CR 211.

4.1.1.2 Previous NEPA Analysis of CR 211

The FSEIS contained extensive analysis on the relocation of CR 211, as well as the impact of Ridges Basin Dam construction on CR 211. In preparing the discussion of this related action in this EA, the analysis of potential impacts, proposed mitigation, and environmental commitments that were included in the FSEIS was reviewed. The FSEIS analysis is still valid, as discussed below. Additional NEPA analysis may be required when further details of the CR 211 relocation are developed.

Development of Alternatives

The FSEIS identified two potential routes for CR 211 in the discussion of Utility and Transportation Relocations (see 2.3.1.3.7, page 2-112 in the FSEIS). Alternative CR 211 Route 1 is a 3.1-mile route that would begin at the west side of the crest of Bodo Draw and intersect with Wildcat Canyon Road (CR141) at the entrance to the Rafter J residential area. Alternative CR 211 Route 2 started at the same place and junction with the existing CR 211 west of the future high water level, for an overall length of about 2.5 miles. A map of these two alignments was included as Map 2-7 (see FSEIS page 2-113). The currently proposed alignment for CR 211 would essentially follow the 3.1-mile Alternative CR 211 Route 1 discussed in the FSEIS. No additional route analysis is required.

Vegetation

The FSEIS identified that the relocation of CR 211 would result in impacts to 16 to 20 acres of upland vegetation and minimal impacts to riparian wetlands associated with small, drainage tributaries to Basin Creek or the crossing of Wildcat Creek as the new road would join CR 141 (see FSEIS page 3-69). The impacts to upland vegetation were considered significant, and the FSEIS proposed mitigation to these and other upland vegetation impacts (totaling 1,645 acres for the entire ALP Project, primarily from reservoir inundation) through the offsite acquisition of a large, contiguous block of lands (see FSEIS page 5-11).

The alignment currently proposed for CR 211 would involve a permanent right-of-way of 90 feet, with additional width required in certain areas for cut and fill construction. There would be impacts to about 35 acres of upland vegetation from CR 211 as currently proposed. These additional impacts are not considered significant in light of the FSEIS analysis. The proposed upland mitigation proposed in the FSEIS is considered sufficient to offset the impacts of construction of a new realigned CR 211.

Wildlife Resources

The FSEIS identified a potentially significant impact to elk and deer as a result of the construction of CR 211 directly through loss of habitat and indirectly through interruption of migration routes (see FSEIS page 3-86). At the time that reservoir right-of-way is acquired, the FSEIS called for the acquisition of sufficient land at the upper end of the reservoir and along the southern shore to provide a wildlife migration corridor (see FSEIS page 3-88). Mitigation through acquisition or development of an offsite block of wildlife habitat was committed to in the FSEIS (see FSEIS page 5-12).

The FSEIS also identified potentially significant impacts to wildlife habitat utilization and behavior patterns during sensitive periods from the construction noise and human activities associated with the relocation of CR 211 (see FSEIS pages 3-87 and 3-88). Mitigation through noise controls and scheduling of activities was proposed. Also proposed was the seasonal closure of secondary roads leading from the new alignment of CR 211. This seasonal closure is for the period November 15 through May 1 for critical areas, and November 30 through March 30 to protect wintering big game. Closure of these roads during the pipeline relocation project would not be possible. Activities would be restricted to the pipeline

corridor, and disturbances are not expected to be widespread. The Environmental Commitments section of the FSEIS addressed wildlife impacts as well as the Wildcat Creek crossing (see FSEIS, page 5-13, as well as Volume 3, Technical Appendix #7).

The FSEIS recommended Alternative CR 211 Route 1 (see FSEIS page 3-88). The additional acreage impacts associated with the currently proposed CR 211 relocation route would not result in significant additional impacts to wildlife habitat and wildlife populations. The proposed mitigation for wildlife impacts proposed in the FSEIS, however, is considered adequate for the additional impacts.

Land Use

The FSEIS identified the potential for increased recreation in Ridges Basin that could result in increased violations of CDOW restrictions within the BWA. The FSEIS also identified the potential for a reduction in the rural quality of the surrounding areas (see FSEIS page 3-223). Although the relocation of CR 211 was not specifically cited as a contributing factor, mitigation proposed include limiting vehicular access to Ridges Basin Reservoir to CR 211 (see FSEIS page 3-224).

No additional impacts or mitigation would be associated with the currently proposed alignment of CR 211.

Transportation

The potential impacts to CR 211 were discussed in the FSEIS (see FSEIS page 3-237). A less-than-significant impact to CR 211 was identified as a result of construction use of the road (see FSEIS page 3-241); no mitigation was proposed. Maintenance measures to be taken during construction were included in Environmental Commitments (see FSEIS page 5-18).

Additional information has been obtained regarding average daily traffic (ADT) use of CR 211 and La Plata County transportation plans. No additional significant impacts are identified, however.

Air Quality

The FSEIS identified fugitive dust during construction as a potentially significant impact (see FSEIS page 3-249) and proposed mitigation for these impacts (see FSEIS page 3-251), and Environmental Commitments were addressed also (see FSEIS page 5-19). No additional impacts from the construction of the proposed CR 211 are anticipated.

Noise

The FSEIS identified noise generated by construction activities as a potentially significant impact and proposed mitigation (see FSEIS page 3-261). An environmental commitment for noise control was included in the FSEIS (see FSEIS page 5-19), and Environmental Commitments were addressed also (see FSEIS page 5-19). No additional impacts from the construction of the proposed CR 211 are anticipated.

Public Health and Safety

The FSEIS identified potential hazards to members of the public driving onto the construction site or onto haul roads and exposing themselves to the hazards of moving construction equipment or ungraded earthwork (see FSEIS page 3-267). The relocation of part of CR 211 in Ridges Basin, where the ends of the new section of road would be connected to the existing road, was specifically addressed.

The current relocation plans for CR 211 would not alter these concerns or mitigation.

Other Resources Areas

There were no potential impacts to water resources, water quality, fisheries, endangered and threatened species, soils, geology, paleontology resources, cultural resources, agriculture, recreation, socioeconomics, hazardous materials, public services, or visual resources from the relocation of CR 211 identified in the FSEIS.

4.1.1.3 Additional Location Study by County of CR 211

Independent of Reclamation's NEPA process, the La Plata County Engineering Department commissioned Bechtolt Engineering to conduct a location study of CR 211. This location study evaluated three routes for CR 211 and four junction locations with CR 141 (Bechtolt 2002). Copies of the CR 211 location study and comment letters are available from the La Plata County Engineering Department, 1060 Maine Ave, Durango, CO 81301 (970-382-6372).

The three routes considered were: 1) an approximately 3.26 mile long Hilltop Route; 2) an approximately 3.03 mile long Intermediate Route; and 3) an approximately 3.18 mile long Southern Route. The Hilltop Route alignment is similar to the FSEIS CR 211 Route 1, and the Intermediate Route is similar to FSEIS CR 211 Route 2. The Hilltop Route would impact approximately 35.5 acres, the Intermediate Route approximately 33.1 acres, and the Southern Route approximately 34.7 acres. The Hilltop Route would be constructed on Reclamation and CDOW land, while the Intermediate and Southern Routes would be routed entirely on Reclamation lands.

Bechtolt evaluated four junction locations with CR 141. The junction designated Alternative 4 is essentially the same as the junction identified in the Draft EA and the FSEIS.

The Bechtolt Location Study recommends the Intermediate Route and the Alternative 4 junction with CR 141, based on evaluation of engineering, environmental, and cost considerations.

The County held their own public meeting on April 17, 2002 in Durango to discuss the CR 211 location study, and to solicit comments from the interested public. Sixty-two members of the public signed attendance sheets for the public meeting. A two-week public comment period was established, and 62 comments were received. Comments were reviewed and the County released a Public Comment Matrix on May 16, 2002. Comments slightly favored the Southern Route over the Intermediate Route. The comments favored using the existing intersection of CR 211 and CR 141 over any of the four alternatives considered by the County. Although public comments were made on the County's Location Study, they have been reviewed and changes have been made to Reclamation's EA as appropriate.

The La Plata County Commissioners have not made a recommendation as to a route for CR 211, or for an intersection with CR 141. Additional evaluation will take place. When a recommendation has been made and forwarded to Reclamation, it will be evaluated in light of other project features and Reclamation will make a determination as to the routing and NEPA compliance, as appropriate.

4.1.2 Relocation of Tri-State Electric Transmission Line

A portion of the Tri-State 115-kilovolt (kV) overhead electric transmission line (Tri-State line) in Ridges Basin may be relocated to move it out of the Ridges Basin Reservoir when it is filled. With the exception of possibly one, all transmission structures are located outside the northern edge of the future reservoir area and would not be affected by filling of the Ridges Basin Reservoir. When the reservoir is filled,

however, approximately 1.2 miles of the transmission lines (conductors) would be suspended over the surface of the water, which may require that the line be moved north. This determination, and the extent of the relocation, has not yet been determined.

4.1.2.1 Relationship of Tri-State Line to Other Project Features

The Tri-State line would cross the proposed alignment for CR 211 in the vicinity of the northeast corner of the Reservoir. The transmission line would also cross the relocated Greeley pipeline as it follows the new road alignment for CR 211.

The Western Area Power Administration (Western) will provide the electrical energy to power the Durango Pumping Plant. Western has performed electrical system studies that indicate that a new 115 kV transmission line would be required to serve the energy needs of the Durango Pumping Plant.

4.1.2.2 Previous NEPA Analysis of Tri-State Line

The FSEIS analysis addressed the relocation of the Tri-State line. In preparing this EA, the analysis of potential impacts, proposed mitigation, and environmental commitments that were included in the FSEIS was reviewed. This FSEIS analysis is still valid. No new or different environmental consequences are anticipated. Western has indicated that it is too early in the planning process to identify the level of NEPA review that would be required for the new 115 KV transmission line, since the electrical system planning process is not yet complete. Western will undertake an environmental review of their action to provide electrical energy to the pumping plant.

Development of Alternatives

The relocation of 0.6 mile of the Tri-State line was included in the discussion of Utility and Transportation Relocations (see 2.3.1.3.7, page 2-112) in the FSEIS. At that time, it was felt that six transmission structures would be involved in this relocation to move a portion of the existing Tri-State line north out of the area that would be inundated when the Ridges Basin Reservoir is filled. It is now felt that one or less structures would be affected.

Wildlife Resources

The FSEIS identified concerns that the electric transmission conductors on the Tri-State line could represent a significant potential for raptor electrocution to golden eagles in the project area (see FSEIS page 3-88). Mitigation in the form of raptor-proof design was proposed (see FSEIS page 3-89) and then commitments made (see FSEIS page 5-13). These commitments are sufficient, and no additional impacts are anticipated.

The FSEIS did not address or specifically identify the acreage that would be impacted through construction and operation of the Tri-State line, nor the potential impacts to wildlife habitat and wildlife populations. However, both anticipated impacts and mitigation thereof are discussed in some detail in the FSEIS in regard to related project facilities, and mitigation commitments include any impacts from the Tri-State line relocation. The proposed mitigation for wildlife impacts would also compensate for these additional minor impacts to wildlife habitat.

Public Services and Utilities

The FSEIS identified as less than significant the potential impacts resulting from any interruption in electric service due to relocation of the Tri-State line (see FSEIS page 3-275). No mitigation was proposed.

Visual Resources

The potential visual impacts of the Tri-State line were discussed in the FSEIS (see FSEIS page 3-283) as significant, as a “highly visual linear landscape”, and mitigation was proposed. Commitments were made to “incorporate non-intrusive design elements” to the extent practicable (see FSEIS page 5-20). No additional impacts are anticipated.

Other Resources Areas

There were no potential impacts to any other resource areas from the relocation of portions of the Tri-State line identified in the FSEIS.

4.1.3 Relocation of Greeley Pipeline

A portion of the existing 8-inch-diameter Greeley pipeline in Ridges Basin would be relocated to move it out of the Ridges Basin Reservoir when it is filled. The western and eastern portions of the Greeley pipeline are located outside the area of the future reservoir area and would not be affected by filling of the Ridges Basin Reservoir. Approximately 4.5 miles would have to be relocated out of the reservoir area.

4.1.3.1 Relationship of Greeley Pipeline to Other Project Features

The relocated Greeley pipeline would be constructed in a 25-foot-wide permanent right-of-way adjacent to the new road alignment for CR 211. As described in section 2.1.2 of this EA, a new meter station would be constructed. In addition, Greeley would construct a facility at the site to add odorant to the natural gas that would be transported in their gas distribution pipeline.

4.1.3.2 Previous NEPA Analysis of the Greeley Pipeline

The FSEIS analysis addressed the relocation of the Greeley pipeline as part of the Utility and Transportation Relocations (see section 2.3.1.3.7, page 2-112) in the FSEIS. In preparing this EA, the analysis of potential impacts, proposed mitigation, and environmental commitments that were included in the FSEIS were reviewed. This FSEIS analysis is still valid. No new or different environmental consequences are anticipated. There were no potential impacts to any resource areas from the relocation of portions of the Greeley pipeline identified in the FSEIS. No additional NEPA analysis is anticipated.

4.2 CUMULATIVE IMPACTS

Cumulative actions are defined in 40 CFR 1508.25(a)(2) as those actions, when viewed with other proposed actions, have cumulatively significant impacts.

Several cumulative actions to the ALP Project were described in the FSEIS, including the Navajo Indian Irrigation Project (NIIP), the Jicarilla Apache Tribe Water Rights Settlement, the proposed Navajo-Gallup Water Supply Project (Navajo-Gallup Project), the restoration of the Hogback Project, San Juan Basin coalbed methane gas development, and various Colorado transportation improvement projects (see

FSEIS, pages 4.1, et seq.). The status of these cumulative actions in relation to the ALP Project has not changed as a result of the proposed pipeline relocation action.

MAPCO has proposed to convert the product carried in its 10-inch-diameter pipeline from NGL to petroleum products. This conversion was addressed in the FEIS for the Questar, Williams, & Kern River Pipeline Project (BLM 2001) prepared by BLM. ~~MAPCO has not yet made a determination if this conversion will take place, or when. However,~~ In anticipation that a conversion could take place at some point in the future, Reclamation completed a spill analysis and other evaluations to address the potential for the release of petroleum products in this EA. While we believe that product conversion would have no other cumulative impacts relevant to the pipeline relocation action, ~~If MAPCO elects to move forward in the future to convert its line to another product,~~ Reclamation would review MAPCO's proposal and conduct any appropriate environmental compliance activities prior to such conversion at Ridges Basin.

The three related actions described above (i.e., relocation of CR 211, Tri-State line, and the Greeley pipeline) are related in geography to the proposed relocation of the three pipelines, but would be constructed at a later date. However, there would be a cumulative impact from the construction and operation of all six actions. Taken together, there would be loss of vegetation, wildlife impact, increased noise and disruption, and the potential for erosion and air quality impacts. The cumulative impacts to wildlife travel and recreation of two parallel rights-of-way (i.e., 150-foot-wide permanent right-of-way for the three pipelines, plus a 115-foot-wide permanent right-of-way for CR 211 and Greeley pipeline) are also acknowledged.

Although the planning and design for the three related actions is not yet at a stage to allow them to be analyzed at the same level of detail as the proposed action, enough is now known about them to determine where they are likely to be located and the localized extent of the impact from their "footprint." These projected impacts were compared to the analysis that was done in the FSEIS, the proposed mitigation, and Reclamation's commitment to mitigate impacts. No significant new impacts are projected to result from the cumulative interaction of the three related actions and the three proposed actions that have not already been identified and mitigated for in the FSEIS. For this reason, Reclamation has determined that the level of analysis in this EA, once it is tiered from the analysis in the FSEIS, is sufficient to describe both the related actions and the proposed actions.

Approximately 3.0 miles of the northern pipeline route would cross land now owned by the CDOW as part of the BWA. The relocation of CR 211 and the Greeley pipeline would take place on Reclamation land. Reclamation would acquire an easement for the three pipelines as part of the proposed action.

4.3 ENVIRONMENTAL JUSTICE AND INDIAN TRUST ASSETS

Environmental Justice issues and Indian Trust Assets were addressed in the FSEIS in Section 4.6 (see FSEIS pages 4-14 to 4-16). There are no aspects of the proposed actions that would negate neither this analysis nor its conclusions.